IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.3954 OF 2000

The Bombay Dyeing & Mfg. Co. Ltd.,
(Textile Mills) : Petitioner

V/s.

The Cloth Markets & Shops Board,
Mumbai & Ors. : Respondents

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Mr.Santosh Shetty for Mr.Pushkar Gadkari for the petitioner.

Ms Pallavi Divekar for Mrs.Lata Desai for respondent nos.1 & 2.

Ms B.B. Dholakia for Ms N.D.Buch for respondent no.3.

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**CORAM : S.RADHAKRISHNAN &**
**S.A.BOBDE, JJ.**

October 6, 2004.

P.C.:

1. Heard the learned counsel for the petitioner and the learned counsel for respondent nos.1 and 2 as also the learned counsel for respondent no.3. The main contesting party is respondent no.1, the Cloth Markets & Shops Board. Perused the affidavit of Rajiv Kapur dated 20.9.2004. The said affidavit clearly indicates that during the pendency

of the petition, in view of the negotiations between Maharashtra Rajya Mathadi Transport and General Kamgar Union representing the workers and the management of the petitioner-company, an agreement was arrived at on 19.1.2001. As per the said agreement, the petitioner-company is remitting the amount to respondent no.1 Board who, in turn, is distributing the said amount to the concerned workmen. The said affidavit also indicates that upto June 2004, all the required amounts were duly remitted to respondent no.1 Board. Respondent no.1 Board has also duly disbursed the same. The learned counsel for respondent no.3 representing the workmen also does not dispute such disbursement. The learned counsel for the petitioner states that hereafter also the petitioner will continue to remit the requisite amount month after month to respondent no.1 Board who will, in turn, pay the said amount to the concerned workmen as per the settlement arrived at. In these circumstances, nothing survives in this petition. The learned counsel for respondent no.1 also fairly states that in view of the above settlement, respondent no.1 Board will not be adopting any coercive steps against the petitioner.

2. Hence, Rule stands discharged.

Sd/-

(S. RADHAKRISHNAN, J.)

Sd/-

(S.A. BOBDE, J.)